RECEIVED IN MONROE, LA JUL 8 - 2008

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ROBERT H. SHEMWELL, CLERK WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

HENRY DYKES

CIVIL ACTION NO. 08-0544

VS.

SECTION P

TIM WILKINSON, WARDEN

JUDGE JAMES

MAGISTRATE JUDGE HAYES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for writ of *habeas corpus* is **DENIED** and **DISMISSED WITH PREJUDICE** as time-barred by the one-year limitation period codified at 28 U.S.C. §2244(d).

THUS DONE AND SIGNED, in chambers, in Monroe, Louisiana, on this <u>&</u>

day of

, 2008.

ROBERT G. JAMES

UNITED STATES DISTRICT JUDGE